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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,178	11/19/2003	Leslie Dotson	2219.0030001	3809

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WASHINGTON, DC 20005

EXAMINER

FRANKLIN, JAMARA ALZAIDA

ART UNIT	PAPER NUMBER
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2876

DATE MAILED: 05/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/716,178

Applicant(s)

DOTSON, LESLIE

Examiner

Jamara A. Franklin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Acknowledgment is made of the amendment filed on 4/03/06. Claims 1-23 are currently pending.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Wang et al. (US 2004/0075588) hereinafter referred to as 'Wang'.

Wang teaches a foldable keyboard assembly (universal keyboard 100), comprising:

a keyboard comprising a first keyboard segment (section 116a) and a second keyboard segment (section 116b) attached thereto by a first hinge assembly (central hinge or coupler 118), each of said first and second keyboard segments having a top portion upon which is disposed a plurality of keys (keys of keypad 116) and a bottom portion, said first hinge assembly permitting said first and second keyboard segments to be arranged in an open position in which said top portions of said first and second keyboard segments are exposed or in a closed position in which said top portions of said first and second keyboard segments are concealed (paragraphs 49 and 56); and

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a carriage coupled to said keyboard, said carriage comprising
a back plate (docking structure 108), said back plate adapted to support a digital device;
an infrared (IR) assembly (IR head assembly 101) attached to said back plate, said IR
assembly comprising a rotatable stem (arm 104) and a rotatable IR sensor (IR head 102) coupled
thereto, said stem and said IR sensor being individually rotatable to align said IR sensor with an
IR port of said digital device for IR communication (paragraphs 39 and 40), and

a communication path, said communication path coupling said IR sensor to said keyboard
(paragraphs 39 and 40);

the assembly wherein said IR assembly further comprises a sensor housing for housing
said sensor, said sensor housing being attached to said stem via a hinge (see figure 1D);

the assembly wherein said back plate comprises one of more stowable braces (holders
110, 510) for supporting said digital device, wherein at least one of said one or more stowable
braces is slidably adjustable to accommodate digital devices of different sizes (paragraph 41);

the assembly wherein at least one of said one or more stowable braces is slidably
adjustable to accommodate a personal digital assistant, a tablet computer, or a wireless phone
(paragraph 41);

the assembly wherein at least one of said one or more stowable braces includes a spring-
biased brace, a lower brace, and a side brace;

the assembly wherein said back plate further comprises one or more recesses, each one of
said one of more recesses for stowing a corresponding one or more stowable braces when said
brace is not in use (see figure 5A);

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the assembly wherein said first hinge assembly includes a locking mechanism (latch 802) for locking said first and second keyboard segments in said open position (paragraph 49);

the assembly wherein said back plate is coupled to said keyboard via a second hinge assembly, said second hinge assembly permitting said back plate to be folded onto said keyboard when said keyboard is in said closed position (see figures 6A-6C);

the assembly wherein said keyboard further comprises a port adapted to receive a means for communication with said digital device (paragraphs 57-59);

the assembly wherein said means for communicating with said digital device comprises a Universal Serial Bus (USB) cable (paragraphs 57-59); and

the assembly wherein said means for communicating with said digital device comprises a wireless interface adapter (paragraph 59).

Response to Arguments

3. Applicant's arguments, filed 4/03/06, with respect to the previous rejection(s) of claim(s) in light of newly amended claim 10 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Wang.

Furthermore, upon further consideration, the examiner has found that claims 1-9, which had been indicated as having allowable subject matter in the previous office action of paper no. 1005, are rejectable in view of the Wang invention.


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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamara A. Franklin whose telephone number is (571) 272-2389. The examiner can normally be reached on Monday through Friday 8:00am to 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Jamara A. Franklin
Examiner
Art Unit 2876


STEVEN S. PAIK
PRIMARY EXAMINER

JAF
May 09, 2006